

# Appendix C

## Funding Mechanisms and Programs

### Property Acquisition

1) Program/Method:

#### **Municipal purchase**

Sponsoring Agency:

Town of Dudley

Approximate Funding Maximum:

Dependent on Town Meeting

Program Description: This tool is probably the most direct and effective way for a town to achieve the acquisition objectives of its open space plan. Towns may either issue bonds to cover purchases or in some cases include a purchase item in the general budget. Bond issues are quite common and provide communities with the flexibility to negotiate with property owners, knowing that money has already been authorized to complete the acquisition. In practice, towns generally ask for authorization to float a bond to cover open space acquisition, and then once a deal has been negotiated return to town meeting for the actual appropriation.

Priority for pursuing: High.

Chances of success: Moderate. Will depend on a vigorous public outreach campaign prior to town meeting and the general referendum.

2) Program/Method:

#### **Massachusetts Self-Help Program**

Sponsoring Agency: Massachusetts Office of Environmental Affairs, Division of Conservation Services (DCS)

Approximate Funding Maximum:  
\$250,000

Program Description: In Dudley's case the

Program provides approximately 70% reimbursement for the purchase of land for conservation and passive recreation purposes. This means the maximum total project cost could be roughly \$350,000. Currently, Dudley is not eligible for this grant because their 1988 Open Space and Recreation Plan needs to be updated.

Priority for pursuing: High.

Chances of success: Moderate. Will depend on quality of town's application and level of competition.

### 3) Program/Method: **Aquifer Land Acquisition Program**

Sponsoring Agency: Massachusetts Department of Environmental Protection (DEP)

Approximate Funding Maximum:  
\$500,000

Program Description: The ALA program makes funds available for protection of public water supplies. Specifically funds are available for study of public water supplies and their recharge areas, and acquisition of wellhead protection areas. Amendments to the enabling legislation in 1987 dictate that communities match state funds with 20% local dollars. A key requirement to participate in this program is state approval of a community's Zone II's.

Priority for pursuing: Moderate.

Chances of success: Low/moderate. Will depend on quality of application, competition and total funds available statewide.

### 4) Program/Method: **Massachusetts Highway Department (MHD) Open Space Program**

Sponsoring Agency: Massachusetts Executive Office of Transportation and Construction (EOTC)

Approximate Funding Maximum: None, but program receives only \$1M/year to be spread around the state

Program Description: This program acquires scenic areas adjacent to roadways. Funds are not available for recreation projects, though MHD has worked cooperatively with other state agencies and municipalities to assist in adjoining recreation projects. Scenic views and environmental protection are the two areas of program focus.

Priority for pursuing: Low.

Chances of success: Low, unless a great scenic resource is involved.

#### 5) Program/Method: **Land trusts**

Sponsoring Agency: The land trusts and their donors

Approximate Funding Maximum: None, but generally these non-profit organizations have limited funding.

Program Description: Dudley is covered by the Dudley Land Trust. Land trusts in general have many tools to help acquire and protect open space. Land trusts can: own land on a fee simple basis, accept easements, negotiate transactions, give technical assistance to property owners, and provide connections and resources to anybody interested in open space preservation. In some cases land trusts may even have the resources to purchase land outright. All donations are tax deductible thus adding to the attractiveness of the land trust as a preservation vehicle. Further, because land trusts are not bound by the same procedures that restrict governmental entities, they can usually move quickly to acquire land.

Priority for pursuing: High.

Chances of success: High. These organizations will be invaluable to augment other open space planning efforts.

6) Program/Method: **Federal Land and Water Conservation Fund**

Sponsoring Agency: U.S. Department of the Interior, National Park Service

Approximate Funding Maximum: None, program has not been funded in recent years, although the program is about to gear up again.

Program Description: When this program was funded it provided up to 50% reimbursement towards the cost of acquisition or improvement of recreation land. If funding is reauthorized at some point, this would be a useful program for the town to pursue.

Priority for pursuing: Low.

Chances of success: Low. Currently no money has been appropriated. An active town open space committee would lobby for release of funds by Congress and the President.

Studies and Construction/Maintenance

1) Program/Method: **Lake and Pond Grants**

Sponsoring Agency: Massachusetts Department of Environmental Management (DEM)

Approximate Funding Maximum:  
\$10,000

Program Description: This program is the successor program to DEP's Clean Lakes Program (Chapter 628). Eligible activities include, lake management analysis and planning, public education, and watershed and in-lake management techniques. A "holistic" approach to management is expected by the DEM, which would include, government, lake users, watershed groups and the public in general. The program requires a 50% cash match. Applications are due in November of each year.

Priority for pursuing: Moderate.

Chances of success: Moderate.

2) Program/Method: **The National Recreational Trails Act (NRTA)**

Sponsoring Agency: Massachusetts  
Department of Environmental Management (DEM)

Approximate Funding Maximum:  
\$30,000

Program Description: Part of the federal Intermodal Surface Transportation Act, NRTA provides funds for trail projects. Eligible projects include: trail construction, land/easement acquisition, handicapped accessibility, interpretative areas/facilities, and education. Trails must be recreational, e.g. intra-city, on-road bikeways would probably not be eligible. There is no limit on grant funds, but a 50% local match is required (matching funds can be "non-cash"). Motorized and non-motorized trail use must be included in the grant with at least thirty percent of funds going to each activity. Applications are due in October of each year.

Priority for pursuing: Moderate.

Chances of success: High with a good proposal.

3) Program/Method: **Greenways and Trails Demonstration Grant Program**

Sponsoring Agency: Massachusetts  
Department of Environmental Management (DEM)

Approximate Funding Maximum: \$5,000

Program Description: Greenways and trail projects are at the center of this program. Funding categories include: planning, research, mapping,

public education and community outreach, ecological assessment, and trail construction, maintenance and expansion. In recent years focus has been placed on projects that either educate the public or work on river greenways. However, all greenway/trail project are eligible with the exception of those confined to a single parcel of land. Applications are due in January/February every year and no local match is required.

Priority for pursuing: Moderate.

Chances of success: High with a good proposal.

4) Program/Method: **Intermodel Surface Transportation Efficiency Act (ISTEA), Regional Transportation Improvement Program**

Sponsoring Agency: Massachusetts Highway Department, Central Massachusetts Metropolitan Planning Organization (MPO)

Approximate Funding Maximum: No maximum.

Program Description: Funds are available for transportation related open space improvements. A bike path that connects dense areas of housing with employment or shopping centers would clearly fit the criteria. However, the state and the MPO have been relatively flexible about definitions and projects that are slightly less directly related to transportation may be eligible e.g., an open space parcel adjacent to a road programmed for repairs; the parcel provides a roadway rest area and access to walking trails.

Priority for pursuing: Moderate with an appropriate project.

Chances of success: Moderate/High.

5) Program/Method: **Intermodel Surface Transportation Efficiency Act (ISTEA),**

## **Enhancement Program**

Sponsoring Agency: Massachusetts Highway Department (MHD), Central Massachusetts Metropolitan Planning Organization

Approximate Funding Maximum: None, but a \$100,000 minimum is requested by MHD

Program Description: Money is provided to a variety of transportation "enhancement" projects. Among those eligible are bikeways, walking paths and rail trails. This is a special dedicated fund that amounts to 10% of statewide spending from ISTEA monies.

Priority for pursuing: Moderate.

Chances of success: High.

### Non-acquisition programs

#### 1) Program/Method: **Conservation Restrictions (CRs)**

Sponsoring Agency: Massachusetts Office of Environmental Affairs, Division of Conservation Services (DCS)

Approximate Funding Maximum: Only technical support available

Program Description: Conservation restrictions (CR's) are legal, enforceable agreements, authorized by the state, which are made between a landowner and a charitable organization, or a town. They are used primarily to keep land in a "natural or scenic open condition". Restrictions can be written so that certain uses are permitted and others prohibited, e.g. the current owner may continue to occupy an existing house on the land, but may restrict the construction of any additional houses. Grantors of restrictions may also be able to benefit by reductions in various taxes including property, estate and income.

Priority for pursuing: Moderate.

Chances of success: Depends on property owner.

2) Program/Method: **Assessment Act (M.G.L. Chs. 61, 61A and 61B)**

Sponsoring Agency: Massachusetts Department of Environmental Management, Department of Food and Agriculture, and Department of Revenue (respectively)

Approximate Funding Maximum: No public funds available

Program Description: These programs work by making available special property tax assessments to owners that agree to restrict their land to a particular use. Chapter 61 applies to lands actively devoted to forestry use, 61A applies to active agricultural lands, and 61B applies to public recreational lands like wildlife sanctuaries and campgrounds. Generally properties are assessed at their current use value rather than their highest use. This usually translates into a substantial property tax savings for owners. The program also makes a right-of-first-refusal option available to sponsoring towns when property owners look to sell their land.

Priority for pursuing: Moderate.

Chances of success: Depends on property owner.

3) Program/Method: **Agricultural Preservation Restrictions**

Sponsoring Agency: Massachusetts Department of Food and Agriculture

Approximate Funding Maximum: No

public funds available

Program Description: This program insures that active farms stay in agricultural production. The state purchases a farmer's development rights. The price paid is the difference between the full market value of the property and its appraised agricultural value. A permanent restriction is then put in place prohibiting all non-agricultural uses on the parcel. The farmer is taxed at the agricultural value rather than the highest use value.

Priority for pursuing: Low.

Chances of success: Depends on property owner.